

### **REMARKS**

This Amendment and Response and the following remarks are intended to fully respond to the Non-Final Office Action mailed December 23, 2009. In that Office Action, claims 1, 3-16, 18-20, and 22 were examined, and all were rejected. Specifically, claims 1, 9, and 16 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 1, 3-16, 18-21, and 22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Pat. No. 6,801,998 to Hanna, et al. (hereinafter, "Hanna") and further in view of U.S. Patent No. 7,068,789 to Huitema, et al. (hereinafter, "Huitema"). Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Amendment and Response, claims 1, 8, 9, 11-13, 15, 16, 18-20, and 22 have been amended. Claims 3-7, 10, and 14 have been cancelled without prejudice, and claims 2, 17, and 21 remain cancelled without prejudice. No claims have been added. Therefore, claims 1, 8, 9, 11-13, 15, 16, 18-20, and 22 remain present for examination. This application is in condition for allowance, and such action is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 112, First Paragraph: Claims 1, 9, and 16**

Claims 1, 9, and 16 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Applicants respectfully do not agree with these rejections. Applicants maintain that the Specification supports the rejected claim language. However, in the interest only of forwarding the prosecution of this application to allowance, Applicants have amended claims 1, 9, and 16 to remove the rejected language. In light of these amendments, Applicants respectfully request the withdrawal of these rejections and the allowance of claims 1, 9, and 16.

#### **Claim Rejections – 35 U.S.C. § 103(a): Claims 1, 3-16, 18-21, & 22**

Claims 1, 3-16, 18-21, and 22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hanna in further view of Huitema. Applicants respectfully disagree with and traverse these rejections. To establish a prima facie case of obviousness, the references must teach or suggest each and every one of the claim elements to one of ordinary skill in the art at the

time the invention was made. *See* MPEP §§ 2142, 2143.03; *In re Wilson*, 424 F.2d 1382, 1385 (C.C. P.A. 1970). In addition, *KSR International Company v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741 (2007), requires that there “must be some *articulated reasoning with some rational underpinning* to support the legal conclusion of obviousness.” (Emphasis added.) Further, “a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.” *KSR Int’l Co.*, 127 S. Ct. at 1741. Specifically, the references fail to teach or suggest all of the claim elements.

For example, Hanna in further view of Huitema fail to teach or suggest at least the following with respect to claim 1:

...

*generating a first group-signed group identity information document comprising the group identity information for the first group, an embedded use policy that expresses a privacy policy providing instructions as to how the group identity information for the first group may be used, wherein the embedded use policy is stored with the group identity information for the first group, at least a first key, and a first group identity information document signature signed by an owner of the first group using a second key associated with the first key, wherein the second key is a private key of the first group and is owned by the first group owner;*

*sending the first group-signed group identity information document to the first receiving system to establish the first group as a new group identity at the first receiving system;*

*receiving a selection of personal identity information to include in a personal certificate for an originator;*

*generating a self-signed personal certificate using the selection of personal identity information, wherein the self-signed personal certificate establishes the originator’s personal identity, and wherein the self-signed personal certificate is signed by the originator;*

*attaching the self-signed personal certificate to a first message for sending to the first receiving system;*

*determining whether to attach, to the first message, a first group-signed membership certificate with the self-signed personal certificate, wherein the first group-signed membership certificate is group-signed by the first group owner, and wherein the first group-signed membership certificate establishes the originator’s membership identity in the first group;*

*when the first group-signed membership certificate is to be attached to the first message:*

*attaching the first group-signed membership certificate with the self-signed personal certificate to the first message for sending to the first receiving system;*

*determining whether to attach, to the first message, an additional membership certificate with the first group-signed membership certificate and the self-signed personal certificate; and  
when no additional membership certificate is to be attached, sending the first message with the attached self-signed personal certificate and the attached first group-signed membership certificate to the first receiving system.*

*Claim 1, supra (as amended) (emphasis added).*

Hanna relates generally to permitting “an applicant associated with a client to obtain access to a service or resource available from or through an application server. In a preferred embodiment, the *applicant is required to prove membership within a group* having the requisite privileges to obtain access to the service or resource *without receipt of intelligible information from the application regarding the identification of the group* or groups having access privileges.” *Hanna, at 3:9-17 (emphasis added)*. Hanna provides no teaching or suggestion, at a minimum, of “. . . *generating a self-signed personal certificate using the selection of personal identity information*, wherein the self-signed personal certificate establishes the originator’s personal identity, and wherein the self-signed personal certificate is signed by the originator . . . *determining whether to attach, to the first message, a first group-signed membership certificate with the self-signed personal certificate . . .*” (Emphasis added.) The Office Action states that “Hanna teaches . . . [t]he method of claim 3, further comprising: sending to the receiving system a self-signed personal identity information document . . . [see rejection of claim 4, wherein if the group membership server determines if the applicant is a member of the specified group. Examiner is interpreting that it is clear that applicant submits some sort of identification information along with encrypted group ID in order for said server to authenticate/validate applicant.]” *Office Action, 12/23/2009, at 7 (emphasis in original)*. However, Applicants respectfully disagree. Determining whether the applicant is “a member of the specified group” provides no teaching or suggestion of, for example, “. . . *generating a self-signed personal certificate using the selection of personal identity information*, wherein the self-signed personal certificate *establishes the originator’s personal identity*, and wherein the self-signed personal certificate is signed by the originator . . . *determining whether to attach, to the first message, a first group-signed membership certificate with the self-signed personal certificate . . .* when the first group-signed membership certificate is to be attached to the first message: *attaching the first*

*group-signed membership certificate with the self-signed personal certificate* to the first message for sending to the first receiving system . . . .” (Emphasis added.) Hanna thus fails to disclose or suggest each and every limitation of claim 1.

Further, Huitema fails to cure the deficiencies of Hanna. Huitema relates generally to “ensuring valid and secure peer-to-peer communications in a group structure.” *Huitema*, at 2:59-60. Huitema provides for “every peer who is a valid member of the group to invite new members. . . . securely joining a peer-to-peer group by a peer . . . .” *Huitema*, at 3:1-3. Huitema’s “secure peer-to-peer communications in a group structure” provides no teaching or suggestion, for example, of “. . . generating a self-signed personal certificate using the selection of personal identity information, wherein the self-signed personal certificate establishes the originator’s personal identity, and wherein the self-signed personal certificate is signed by the originator . . . determining whether to attach, to the first message, a first group-signed membership certificate with the self-signed personal certificate, . . . when the first group-signed membership certificate is to be attached to the first message: attaching the first group-signed membership certificate with the self-signed personal certificate to the first message for sending to the first receiving system . . . .” (Emphasis added.) Huitema thus fails to teach or suggest each and every limitation of claim 1, and Huitema thus fails to cure the deficiencies of Hanna.

Accordingly, Hanna in further view of Huitema fail to teach or suggest each and every limitation of claim 1. Claim 1 is thus patentable under 35 U.S.C. § 103(a), and allowance of this claim is respectfully requested. While the cited references do not disclose each and every aspect of claim 1, Applicants have amended claim 1 in the interest only of forwarding the prosecution of this application to allowance. Amendments are therefore made without prejudice. Because claim 8 depends on allowable base claim 1, claim 8 is also allowable for at least the reasons presented above, and such action is also respectfully requested. As such, any remaining arguments supporting the rejections of these claims are not acquiesced to even though they are not addressed herein. Accordingly, Applicants respectfully request the allowance of claims 1 and 8.

In addition, for at least similar reasons as those set forth above, Hanna in further view of Huitema fail to disclose or suggest each and every limitation of claims 9 and 16. For example, Hanna in further view of Huitema fail to teach or suggest at least the following with respect to claims 9 and 16:

...

*a group ID generate module generating a first group-signed group certificate comprising at least a public key, a digital signature for the first group, and an embedded use policy that expresses a privacy policy providing instructions as to how a first subset of group identity information for the first group may be used at the first receiving system, wherein the embedded use policy is stored with the first subset of group identity information for the first group, and wherein the first subset of group identity information is selected from group identity information for disclosure to the first receiving system;*

*a send module transmitting the group certificate to the first receiving system to establish the new group identity of the first group at the first receiving system;*

*a receive module for receiving a selection of personal identity information to include in a personal certificate for an originator;*

*a personal ID generate module for generating a self-signed personal certificate using the selection of personal identity information, wherein the self-signed personal certificate establishes the originator's personal identity, and wherein the self-signed personal certificate is signed by the originator;*

*an attach module for attaching the self-signed personal certificate to a first message for sending to the first receiving system;*

*a determination module for determining whether to attach, to the first message, a first group-signed membership certificate with the self-signed personal certificate, wherein the first membership certificate is group-signed by the first group owner, and wherein the first group-signed membership certificate establishes the originator's membership identity in the first group;*

*when the first group-signed membership certificate is to be attached to the first message:*

*the attach module attaching the first group-signed membership certificate with the self-signed personal certificate to the first message for sending to the first receiving system;*

*the determination module determining whether to attach, to the first message, an additional membership certificate with the first group-signed membership certificate and the self-signed personal certificate; and*

*when no additional membership certificate is to be attached, the send module sending the first message with the self-signed personal certificate and the first group-signed membership certificate to the first receiving system.*

*Claim 9, supra (as amended) (emphasis added).*

...

*generating, at the initiating system, a first group-signed group certificate comprising at least an embedded group use policy that expresses a privacy policy providing instructions as to how a first subset of group identity information for a*

first group may be used at the first receiving system, wherein the embedded use policy is stored with the first subset of group identity information for the first group, a group public key and a digital signature for the group signed, by a group owner of the first group, with a group private key associated with the group public key, and wherein the first subset of group identity information for the first group is selected from group identity information for disclosure to the first receiving system;

    sending the first group-signed group certificate to the first receiving system to establish the first group as a new group identity at the first receiving system;

    receiving a selection of personal identity information to include in a personal certificate for an originator;

*generating a self-signed personal certificate using the selection of personal identity information*, wherein the self-signed personal certificate establishes the originator's personal identity, and wherein the self-signed personal certificate has at least a public key of the originator, an embedded personal use policy that expresses a personal privacy policy providing instructions as to how personal identity information may be used, wherein the embedded personal use policy is stored with the personal identity information, and a digital signature using the private key of the originator;

*attaching the self-signed personal certificate to a first message for sending to the first receiving system*;

*determining whether to attach, to the first message, a first group-signed membership certificate with the self-signed personal certificate*, wherein the first group-signed membership certificate is group-signed by the first group owner, and wherein the first group-signed membership certificate establishes the originator's membership identity in the first group;

        when the first group-signed membership certificate is to be attached to the first message:

*attaching the first group-signed membership certificate with the self-signed personal certificate to the first message for sending to the first receiving system*;

*determining whether to attach, to the first message, an additional membership certificate with the first group-signed membership certificate and the self-signed personal certificate*; and

*when no additional membership certificate is to be attached, sending the first message with the self-signed personal certificate and the first group-signed membership certificate to the first receiving system.*

*Claim 16, supra (as amended) (emphasis added).*

Accordingly, for at least reasons similar to those discussed above, Hanna in further view of Huitema fail to disclose or suggest each and every limitation of claims 9 and 16. These claims are therefore allowable. Because claims 11-13, 15, 16, 18-20, and 22 depend on allowable base claims 9 and 16, respectively, these claims are also allowable for at least the reasons presented

above, and such action is respectfully requested. As such, any remaining arguments supporting the rejections of these claims are not acquiesced to even though they are not addressed herein. As noted, while the above discussion shows that the cited references fail to disclose each and every limitation of claims 9 and 16, amendments to the claims are made in the interest only of forwarding the prosecution of this application to allowance and are not necessarily made to address the Office Action's rejections based on the cited references. Amendments are therefore made without prejudice.

For at least the reasons presented above, claims 1, 8, 9, 11-13, 15, 16, 18-20, and 22 are allowable. Accordingly, Applicants respectfully request the allowance of this application.

### **Conclusion**

This Amendment and Response fully responds to the Non-Final Office Action mailed December 23, 2009. It is recognized that the Office Action may contain arguments and rejections that are not directly addressed by this Amendment and Response because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, the failure, if any, of this Amendment and Response to directly address an argument and/or comment raised in the Office Action should not be taken as an indication that the Applicant believes the argument and/or comment has merit. Additionally, the failure, if any, to address statements and/or comments made in the Office Action does not mean that the Applicants acquiesce to such statements and/or comments. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment and Response, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

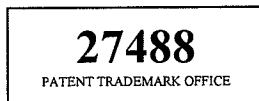
It is believed that no additional fees are due with this Amendment and Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

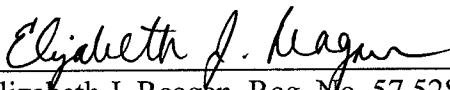
In light of the above remarks and amendments, the application is in condition for allowance and such action is respectfully requested. Should any additional issues need to be

resolved, the Examiner is respectfully requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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